# THE MANY SUFFERINGS of an undone *Gentleman*, and his Family, here truly remonstrated to publick commiseration.

I *Thomas Conningsby* of *North-myms* in the County of *Hartford* Esquire, having in the whole course of my life endeavoured the enjoyment of my Interest in this Common-wealth, alwayes in the rules of the known Laws and duties by me to be performed in a peaceable way, without any the least medling in the unhappinesse of these times, or giving cause of so many deep sufferings to my utter ruine; and not conscious to my self of any crime deserving such proceeding against me, by my malicious Enemies countenanced in the highest degree, being acts and proceedings against me, and the extreamest of unjust and hard usages by severall Committees in the Countrey for Sequestrations, and the Committees of Examination [illegible] Indemnitie here above, exceeding and abusing the Power & Au[illegible] Ordinances, and Orders of Parliament, and causelesly [illegible] me in my birth-right, my Inheritance, propertie and Freeh[illegible]ucting me by their power, and too much presuming there be[illegible] too hard for me to bring my hard measure from them, and the true merits of my cause to a right understanding; having no other means, I here publish to all men of modest minds, and of right understanding, who are in a capacitie to relieve me, if possibly I could bring my just Complaints and Grievances to be received and heard before them: but by continued, many deep, and long injuries, so powerfull are the parties concerned over me (as in the sequell will appear) that all my just wayes in endeavouring my lawfull remedy, and submitting likewise to the judgement by Ordinances, or Orders of Parliament, instead of relief, the additionall outrage (to that low and miserable condition they have brought me into) intages them to proceed farther in their malicious ends towards me.

And a word concerning all the cause of my miseries, was that I was Sheriffe of my County by his Majesties Commission, 1642. under the great Seal and Authority then unquestioned, (a[illegible] the same that gave being to the Parliament it self,) by Writ and Commission in *January*

1642. commanded to publish certain his Majesties Proclamations, which by unavoidable Law, bound duty, and the tye of a strict Oath I was bound to obey, no Ordinance or Prohibition then to the contrary, nor the Ordinance for Sequestrations till the third Month following, the 13. of that *Jan:* at St. *Albons* causing a Proclamation to be read, peaceably, and out of no interest of my own, but that duty and tye aforesaid; was seized by a troop of Horse, brought prisoner to *London*, not examined or heard, sent prisoner to *London-House* Gaole: Now because punishments of so high a nature are a brand to posteritie of some foule crime and miscarriage, I offer this for my vindication to all the world, in the judgement of rationall men, where was the offence deserving the punishment by a totall sequestration, the office of Sheriffweek continued under the same Commission till *April* 1644. that I receive discharge by Writ under the then new great Seal, whether the omission of what is all my offence, in like kinde commanded from the Authority of this Seal, would not be counted a contempt of an high nature.

And first by a mis-guiding and falle report made to the House by *Miles Corbet*, a Member of the House, in these words: Mr. *Corbet* reports from the Committee of Examinations the bold and unbefitting carriage of the Sheriffe of *Hartfordshire*, who is committed prisoner to *London-House* by Order of this House, not assigning wherein: and to this day the Remonstrate altogether both guiltlesse, and unknowing any cause.

Whereupon it is Ordered this day, [illegible] *Lune*, 13. *Martii*, 1642. That the said Sheriffe of *Hartfordshire*, shall be forthwith committed prisoner to the Tower, there to remain close prisoner, till the further pleasure of this House be known.

Where I continued at my own great charges, and in no better then close restraint, from the said 13. of *March* till 14 of *Octob.* 1647. five yeers and seven months, and then removed to Peterhouse Goale, where with inhumane insolence, and several assaults of one *Simball* the Gaoler to the great danger of my life, I continued till 8. of *April* 1648. my son then obtained for my health sake, (being grown into great weakneſſe) libertie for to go into the Countrey, upon what tearms I know not to this day; but as to my imprisonment, being it was by Order of the House of *Commons* is not the thing I any way question, but so farre as so deep a displeasure towards me brought upon me the opinion of some notorious miscarriage even from some Members of the House to whom I was not known, and others who though knowing my conversation stood doubtfull of a right understanding of me, thus branded by so heavie

punish-

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punishment, and from so high Authority, to the censure even of my best friends, and advantage of malicious enemies, who thus contrived to ruine me as aforesaid; and yet in that space of time from my imprisonment till *May* 1644. that they had fully ripened their intentions upon me, my wife and now most distressed family living in my house in sufficient sorrow, and peaceably paid for me and for that part of my estate in our own occupation, for the service of the Parliament, for 3. months for the Lord Generals Army the Earl of *Essex*, one rate 12 li. an other rate 19 li. another rate 3 li. towards raising a scout horse and cart and fortifications at St. *Albons* 5 li. 10 s. for 5th and 20th part 83 li. 10 s. for an horse and Arms 19 li. compelled by Doctor *King*, though excused by the other Committees, after all our horses and Arms at severall times plundered from us, to the value of 120 li. for a seasement without Warrant 7 li. for three other Seasements 17 li. 2 s. the summes paid to the Parliament service 143 li. 12 s. this was not to be reckoned Delinquency and cause of Sequestration.

Till the yeer 1644. *Die Martii*, 26: one Sir *William Brereton* in an Ordinance thus:

And be it further Ordained by the Lords and Commons, that the personall estates of all such Delinquents and Papists within the City of *London* and *Westminster*, and within 20. miles of the same, not sequestred nor discovered, and which shall be discovered by the said Sir *W. Brereton*, or such person or persons, as he shall authorise, under his hand and seal for that purpose, within two months next after the publishing in Print of the Ordinance, shall be allowed to the said Sir *W. Brereton*, for the farther advancement of the said service. Provided, the said concealed estates exceed not the summe of 5000 li. And that the said Sir *Will. Brereton*, or any person authorised by him as aforesaid, nor any of them, shall possesse themselves of the said Papists and Delinquents estates, before he or they acquaint the Commit ee of Lords and Commons for Sequestrations therewith, to the end they may judge the delinquency of the persons before his or their estates be taken away.

The 8. of *April* following, *Brereton* procures an Order from the House of Commons of reference to the Committe thus.

*Die Lunæ*, 8 *Aprilis*, 1644.

It is ordered by the Commons assembled in Parliament, that it be referred to the Committee of Examinations, (where Mr. *Corbet* has the Chaire) to inquire into, and secure such Papists and Delinquents estates as Sir *W. Brereton* shall discover, and report the state of the businesse to the House. *Hen: Elsing, Cler: Parl: Dom: Com.*

4 *May* 1644. In pursuance of an Order of the House, dated 8 *Aprill* 1644. Sir *William Brereton* brought in an Information against Mr. *Thomas Conningsby*.

Ordered that Mr. *Conningsbies* estate be secured, and that Mr *Conningsby* and his Wife to have notice, and required to come or send on *Tuesday* next, to shew cause why his estate should not be sequestered, that the Tennants forbeare to pay any rents to or for his use; and that such persons as Sir *W. Brereton* shall appoint, take care to put this in execution.

Mark here I beseech you, for the Cause of Truth and Right, and it is an old and true saying, *Lyers had need of good memories, and Juglers to be wary in false practises*: and here you shall find that the speciall reference to the Committee (where Mr. *Corbet* has the Chaire) is not in vain to *Brereton's* purpose, he and his man *Kirk* the Clark then of that Committee, entering and omitting as might best conduce to the advantage of *Brereton's*, for neither the Information of the 4 of *May*, nor order from my wife and my self to appear was ever served on any of us; but an Order of the 1 of *May* upon *Brereton's* information against my Wife and Mr. *Williams*, for sending Horse and Arms to *Oxon*, and sending intelligence thither, and upon this ordered she and Mr. *Williams* are summoned to appeare served on them 3 *May*, and that same day all their Goods within doores and without Inventoried and securitie, forced to be given for them, none of which is certified; she appearing on the 8 day, all that laid aside and the proceeding of the Committee, thus certified.

8 *May* 1644. Upon the information against Mr. *Conningsby*: That he put in execution the Commission of *Array*.

Mr. *Henry Coxon* examined saith, *That Mr.* Conningsby *did read and put in execution the Commission of* Array *at St.* Albons, *that he bought* 26 *Muskets*, and what he did with them they desire to know.

*Henry Price* saith, *That he knows that Mr.* Conningsby *did in the beginning of these troubles buy* 26 *Muskets in* London, *and brought them to his house at* Myms, *and he hath seen them in his Kitchin, he knows not what use he made of them, nor to what end they were bought, he had Rests, Bandeleers, and Match to them.*

Ordered that Mr. *Conningsby* be brought to morrow by the Leiutenant of the Tower, and no seisure to be made of the goods in Mr. *Conningsbies* house, till further ordered.

9 *May* 1644. Mr. *Conningsby* appeared, being brought from the Tower; Mr. *Coxon* and Mr. *Price* their information appears no more but the publishing of the Proclamation of *Jan.* 7. 1642. was all the Charge against me. Mr. *Ivory* then Mayor of St. *Albons* being examined saith, *That Mr.* Conningsby

Conningsby *then Sheriffe, came to St.* Albons, *and sent for this Examinate being Mayor, and divers others of the Town, and desires their assistance in publishing the Proclamation now produced, and it was published by his Bailiffe, and Mr.* Conningsby *and many more were present, this Examinate being also present at the time the Proclamation was read, which was done openly in the Market.*

Mr. *Conningsby* saith, *That he had the Proclamation, and did send for the Mayor to assist him, and the Bailiffe read it, and it was done by his command.*

Saith further, *That he received the Writ, and he was Sheriffe and knew of no Ordinance, nor ever heard of any Order to prohibite Declaration or Proclamation.*

Something was urged to me about a Letter to the Lord *Cranborne*, nothing to purpose and point of Sequestration.

Upon the whole businesse: This Committee declare their opinion, that Mr. *Conningsby* is within the Ordinance of Sequestration, and that his estate be secured till it be reported, and the House give further order, the falacy is (upon the whole businesse) as proved in all; and yet without report and further order.

20 *May* 1644. Ordered that Sir *Will. Brereton* have power to compound for, and sell the goods and other estate of Mr. *Conningsby*, seized by order of this Committee, giving account for the same to this Committee.

*Vera Copia ext. per Ste: Kirke*, Clerk of the said Committee.

Likewise the Proclamation written at large in the Certificate.

Upon this Order of 20 *May*, *Brereton's* Agents entered my House by force, and not by his Ordinance, for he did not acquaint the Committee of Lords and Commons, nor had not their Judgement of any Delinquency rendring me liable to Sequestration, and that day & other days within doores, and without, took away all my goods and personall estate, to the value of 1600 li.

So that besides the irregularity used in taking away my goods for the manner of it against the Ordinances of Parliament will manifestly appeare upon reading the Causes thereof, in the proceedings as aforesaid.

And this is certified by the Country Committee, as the whole matter whereon they have pretended the sequestration of my reall estate, so that I was not sequestered at all, but my estate irregularly and violently by them taken from me, for as they certifie their concurring in Judgement with the Committee of Examinations, that Committee nor the House it self had no power to seize the estate or judge of the delinquency, but the Committe of Lords and Commons, both by *Brereton's* Ordinance and the severall Ordinance for sequesterations, declaring the Causes of sequestration.

The House of Commons gives power to that Committee only to enquire into, secure, and report, which power that Committee did exceed; for by order of that Committee, *Brereton* did first seize and secure my estate before any enquiry, (and guided by unsconcionable covetousnes, was loath to let go his hold right or wrong) which was not till 9 *May* that I appeared, was brought thither a Prisoner, & examined as aforesaid, and then without hearing Counsell, or other hearing then as aforesaid; they voted me within Ordinance, my estate to be secured, till reported to the House, and further order of the House.

That Committee had no power to judge of the Delinquency by that order of reference, but they do not only exceed that order, but violate their owne order of 9 *May*, which was not to sequester or dispose of my estate, but to secure it till reported to the House, and further order of the House; and yet by their order of 20 *May*, that Committee gives *Brereton* power to compound for, and sell my goods and other estate.

By colour of which, he sold and had away all my goods, which is apparent against his Ordinance, the order of the House of Commons, and the setled order of the Committee it selfe of 9 *May*, and so it could be no sequestration for my goods by the Committee of Examinations.

And then the Committee of the Country for sequestrations, having no other ground to warrant their pretence of sequestration of my real estate, then the directions of the said proceedings of the Committee of Examinations transacted unto them, as they in their Certificate expresse, the sequestration of my real estate as is pretended, can be no due sequestration, otherwise then of the personall estate, having an unjust rise and ground, (the said proceedings only of the Committee of Examinations) which is all the cause of sequestration certified.

Thus *Brereton* has compassed his ends upon my personall estate, something with favour give me leave concerning his Instruments that acted, they were all strangers, except one *Andrews* that was newly come to be Vicar of the Parish, they were appraisers and buyers themselves of all but the Cows and some Sheep that stockt the Lady at *Cashobury*, whither they were driven; their assistance were a pack of Women Inhabinants in *Tun-hall-street* and *Charter house-lane*, whither the purchersers brought divers Carts loads of our goods, and in there actings so uncivill to my wife in that distresse that they took her by neck & shoulders and turned her out from her Closet, and with reproachfull language, but for desiring her Trunks might be opened and the goods valued, which they bought at a rate set on the whole roome, and she having an old

Coach

Coach which was some convenience for her self and children, with two of her own horses, such mean ones, as she could provide after several plunders of her horses to keep her husbandrie afoot, and to draw her Coach sometimes these Gallips had amongst their baggage to bring them to *London*, the other Merchants and *Brereton's* Agents, as they called themselves, so totally rifled my house, that they did not spare the Cubberds out of the walls settled with the building, but tore them out, and the Bins in my Buttery, and Beer-stalls in the Sellers, because too unwildie to go out of doores, they beat to peeces, and made them useless for any thing but the fire: The Beer in the Seller they turned off of the stands, threatning to let it about the house, to take away the barrels, and thus compelled her to buy at their rates to save the drink, and in all those proceedings will not suffer her to know the valuation of her goods thus rent from her, or to have Inventory of particulars which she required of them.

1 *Aprilis* 1643. Ordinance. After these come the Committees and Sequestrators of the Countrey to act their parts for my reall estate, and as before, not regarding to proceed upon causes in the Ordinance expresst of Sequestration, whether my estate were lyable, or that their proceedings may be justifiable, having no right to act but by the direction of the Ordinance, and their doings in execution and performance of the Ordinances, and instruction upon the Ordinance where doubt is, whether comprehended within Ordinance to certifie the same to the Committee of the Lords and Commons for farther directions. Thus in the 3d. Instruction, and reiterated in the 13. Instruction.

19 *August* 1643. *Ordinance of Explanation.*

Within compasse of Sequestration, to sue and molest for doing in performance of the Ordinance, the Committee and Sequestrators to deliver an exact Inventory to the owner, subscribed under all their hands, of all estate whatsoever. To make due appraisement by two skilfull appraisers, men of quality, and known integrity.

The Committee of Lords and Commons to receive no Information against the Committee of the Countrey, till the matter certified under the hands of two or more of themselves, or refuse to certifie the speciall matter, or Certificate cannot be had, Indempnity and protection for doing in pursuance of this or the former Order for Sequestrations.

By colour of Sequestration these Committees enter injuriously on my reall estate and Rents at *Northmyms*, from the time of *Brereton's* his agents taking away all my goods, *May* 1644. full five yeer and an half, most

part

part of this time I continue in Goales, cannot, nor have not the means to act in my own buſineſſe, and to acquit my ſelf from theſe heavie and long continued injuries; cannot get my wife to endeavour the means of my relief, but content with that poore pittance, a fifth part meanly performed to her; My ſon notwithſtanding my often and earneſt deſire to ſeek to bring my Cauſe to a right underſtanding: Anſwers, he dares not meddle in it for fear of hazarding to bring himſelf into trouble; and rather though againſt my minde, and deſiring him not to meddle with my eſtate, becomes Tenant to them, and ſo becomes a countenance to the injuries and unjuſt actings againſt me, my eſtate going thorow his hand into theirs, and for reaſon pretends regard to his own Intereſt to the Reverſion, to preſerve the eſtate from waſte to be committed, and the rather becauſe of my ſickneſſe and infirmity, contracted by my long impriſonment, and the weakneſſe of a waſted body, ever ſince *May* 1645. and my ſon, as is aforeſaid, procuring liberty for me to go into the Countrey, and that I was alſo much freedome to conſider my own hard condition, and the way I conceived beſt to ſeek relief, I ſent often to the Committee to require an Inventory of my eſtate they had received according to the Ordinance, and likewiſe to demand Certificate of the ſpeciall matter of their ſo-pretended ſequeſtration, to be directed to the Committee above, that ſo I might uſe my beſt indeavour for remedie, which they denyed me in both, and ſo delayed my proceedings to keep my eſtate ſtill in their power: and my ſon before my coming down having contracted with them for a yeer to hold the moitie of my eſtate at a Rent, for the other moitie was in extent upon a Recognizance of 1000 li. which I did enter into long ſince to one *Silverlocke*, and the Committee of Lords and Commons, as by their Order may appear, Ordered that in caſe the Committee did not ſatisfie him his principall and Intereſt, to the diſcharge of the full debt, to permit him to take his benefit of the Recognizance upon the Lands under Sequeſtration lyable thereto; whereupon Mr. *Ja: Cambell* and my ſon who married Mr. *Cambels* ſiſter, in *May* 1646. paying *Silverlock* 860: li. and to prevent ſome inconvenience that might fall among us upon Agreements and Covenants upon my ſons marrying, being after the time of the Recognizance entred into by me, had the Recognizance and extent by *Silverlock* aſſigned to them. Of this more anon.

Out of my ſons agreement with them to hold the firſt moitie at a rent, with ſo much abated of the Rent as was computed a fifth part, his mother and he agree upon ſuch a quantitie of the ſaid Land, to keep that

little

little ſtock of Cows ſhe had, the beſt ſubſiſtance to her ſelf and family: my ſon in the mean time payes at *Lady day* half the Rent, and ſome other part after, and requires an abatement for Free quarter, amounting to as much or more then remained, and that not due till *Michaelmas day*; yet one *Lattimer*, and one *Ireland*, by Warrant from *King* and *Robottome*, come on the 22. of *Septemb.* and drive out of a paſture called Innings, being part of the Land agreed on betwixt my ſon and his mother, ſeven milch Cows, and foure yeerling Bullocks, ſix of the ſeven being my wives own Cows, and 3. of the 4. and drive them to St. *Albons*.

The ſame day I went to St. *Albons*, demanded the goods to be reſtored; it is denyed by *King*: I took out a Repleve, which *King* would not have obeyed. Hereupon I meeting the Cattell in the high-way, did drive them back again: and by the proviſion in the Ordinance, upon pretence of Rent, the Sequeſtrators remedie is but the ſame with a Landlord, againſt whom a Replieve by Law lyes.

Next day the 23. of *Septemb.* a Foot Company of Souldiers of the Armie, *King* hiring them, are ſent without any Officer, but brought by *Latemer* and *Ireland* early in the morning, pretending the Lord Generals Warrant, with Muskets ſhoot and break open the doores of my houſe before any demand, or ſhewing any Warrant, break open Chambers, rob them of money and other goods, enter my wives Chamber, affright her and her trembling daughters, (*Ireland* being Officer in chief for the houſe ſervice) rob the Stables of Horſes, Bridles and Saddles, and other goods; and without any reſiſtance yet lay violent hands on me, and with all diſgracefull uſage that malice could direct, carried me priſoner to St. *Albons*.

*Lattemer* commanded in chief that partie, that out of the ſame Field they took them the day before, take the Cattell again, and drive them to St. *Albons*.

My wife comes to St. *Albons*, acquaints the Committee of the wrong done her in her fifth part, could have no relief, but by procuring Bond to be given to one *Hickman*, that her ſon ſhould come to an account for the Rent pretended, which ſhe procures to be done: and ſo the Cattell were delivered for this time.

*Saterday* 14. of *Octob.* I repaired to the Committee, required as by the Ordinance a Certificate, and an Inventory; the Inventory is denyed by *King*, for he mannages the bagge, the Certificate by ſome of the Committee leſſe malicious, promiſe it ready againſt *Wedneſday*, I ſent for it, and did receive it the 18. of *Octob.* and upon the 20. I came to *Lon-*



*don*,

*dom*, endeavouring by Petition to the Committee of *Lords* and *Commons*, with Certificate annexed, to be relieved upon hearing my just Complaint, could not have my Petition read, till *Novemb.* 1. and then referred to Mr. *Bradshoe* to peruse, examine, and report the state of the Case to the Committee on *Friday* seven-night.

*King* and *Robottome*, so restlesse is their malice, that though they knew I was upon prosecution of an Appeal upon the Certificate, on *Friday* 3. of *Novemb.* the said *Lattemer* and *Ireland* by *King* and *Robottomes* Warrant, out of the Orchard of my house, took and drove away six milch Cows, three Yeerlings, two Geldings, two Mares, and one Colt, in truth our all we had, did drive them to St. *Albons*: My wife and son repaired to them, justifies his agreement with his mother for her fifth part those Lands, offers if his account be not satisfactory, to account, and pay all Rent agreed on with the Committee, desires that the Cattell may be restored to his mother, they deny it them; and cause *Lattemer* and *Ireland* next Market day to sell them at *Hempstead*, the reasonable value of the Cattell 80 li.

For this being my wives proper goods by the rule of Sequestration it self, and not my own goods, but in that notion of allowance by Ordinance, and not acting as by the Ordinance, actions at Law, are prosecuted in my name for the same, being likewise by them done since my Appeal depending, they Petition the Committee of Indempnitie, I am summoned to appear *July* 25. the matter not coming to hearing that day, I attended the 26. day; no call of the Cause that day, I attended the 27. day till after 4. in the afternoon, when it was given out the Committee would not sit that day, and the Officers confirmed it, and I went away; and after there came a Committee and sate, heard this and another cause of Complaint against my son and Mr. *Cambell* by a Tenant of those Lands, under the extent that will not pay his Rent, and is run into great Arrears, and for taking their legall course.

And first let me, I beseech you, be unblamed to write, and set down the greatest grievance that ever was heard of in this Kingdom for obstructing the Subjects liberty and the Laws, if this Committe hold on in their way, and strain the Ordinance so far beyond a right intention, as they presume to do.

And first take the Ordinance it self to judge of, and let all men that have reason to judge, consider the lamentable condition that some men, and causes, fall into by judgement at the will and discretion of such a Judicature as they do proceed in those highest points concerned in the

Laws

Laws, that *meum & tuum*, mens birth-right, their propertie in Freehold? *O tempora, O mores*, whither, to what, are we upon this precepiſe, are we going headlong into wilfull ſlavery?

*Die Veneris*, 21 of *May*, 1647.

For indempnifying all thoſe that have acted, or done any thing by Sea or Land by Authority of Parliament, this the Title.

The Ordinance. The Lords and Commons taking notice that divers well affected perſons have been ſued, indicted, proſecuted, or moleſted, for ſuch acts and things which they have acted and done by Authority of this preſent Parliament, or for the ſervice or benefit thereof, during theſe late Wars and troubles, do hereby Ordain, and declare, And be it by Authority of Parliament ordained and declared, that no perſon or perſons whatſoever, who have ſince the beginning of this preſent Parliament, acted or done, or commanded to be acted, or done any act or thing whatſoever by Authority of this preſent Parliament, or for the ſervice or benefit thereof, by Sea or by Land, ought to be ſued, indicted, proſecuted or moleſted for the ſame; and that every ſuch perſon or perſons whatſoever, are, and ſhall be hereby fully acquitted and diſcharged, of all Actions, Suits, Indictments, Informations, Proſecutions, Judgements, Executions, and Moleſtations whatſoever concerning the ſame; and all Judges, Juſtices, Sheriffs, Mayors, Bayliffs, Jurors, Officers, Miniſters of juſtice whatſoever, are hereby required to take notice thereof, and duly to obſerve the ſame.

And for the eaſe of all ſuch perſons, who are or ſhall be ſued, indicted, proſecuted, or moleſted for any ſuch act or thing as aforeſaid, It is hereby declared and Ordained, That in every Action, Suit, Indictment, Information, or Proſecution, whatſoever, wherein, or whereby they ſhall be ſo ſued, indicted, proſecuted, or moleſted as is aforeſaid, contrary to this Ordinance, It ſhall be lawfull to, and for all perſons aforeſaid, their Heirs, Executors, Adminiſtrators, and Aſſignes, to plead the generall Iſſue that they are not guilty; or any other generall Iſſue, as the caſe ſhall require: and ſhall and may give in evidence to the Jury that ſhall try the ſame, that the matter in queſtion was an act or thing done, or commanded to be acted or done by Authority of this preſent Parliament, or for the ſervice or benefit thereof; which Evidence being proved, ſhall be admitted and allowed by the reſpective Judges, Juſtices, and Jury, before whom it ſhall be tryed, as ſufficient to maintain the ſaid generall Iſſue: And if the Verdict ſhall paſſe with the Defendant, or Defendants in any Action, Bill, Plaint, or Suit, as is aforeſaid, or the

Plaintiffe, or Plaintiffs ſhall be non-ſuit therein, or ſuffer any diſcontinuance thereof, the reſpective Judges and Juſtices ſhall award to the Defendant, or Defendants treble Coſts, for which the ſaid Defendant, or Defendants ſhall have the like remedy as in the like caſes they ought to have by the Laws of this Land: And what any Judges, Juſtices, or Sheriffes, Mayors, Bayliffs, Juror, Officers and Miniſters of Juſtice ſhall do according to this Ordinance, or in purſuance thereof, they ſhall be juſtified and ſaved harmleſſe by Authority of Parliament, for and concerning the ſame.

And becauſe ſuch perſons who have acted, or commanded to be acted or done any ſuch act or thing as is aforeſaid, may be poore and not able to defend a Suit at Common-Law, or may find themſelves agrieved in the proceedings thereof, now for a further relief of ſuch perſons it is hereby Ordained and Declared by the authority aforeſaid; That any ſuch perſons ſo ſued, indicted, proſecuted, or moleſted as is aforeſaid, may at any time hereafter when and as often as they ſhall be ſued, indicted, proſecuted, or moleſted, for any ſuch act or thing as is aforeſaid, either before or after a triall, make their complaint to.

Thus far the Ordinance as to the materiall parts, and lawdable as in the true intention to determin ſuch things as in the exigence and heat of the late Wars have from the beginning of the Parliament, till (this Ordinance made in calmer times, in 1647) acted or done, to any modeſt mans judgement be otherwiſe underſtood, but onely for the time paſt, and meerly to acts concerning the Wars and ſervice for the Parliament in matters of War, for as in other power by Ordinances.

As in Sequeſtrations my caſe and ſuch like, there are particular Ordinances to guid cauſes of that nature, and thoſe are by Committes impowred to hear, and if upon a juſt cauſe to clear the party preſumed to have incurred a Sequeſtration if there be cauſe, upon the reaſons and cauſes in that Ordinance, for what ſequeſtrable or not ſequeſtrable; and if Committees or others by their authority and commands, ſhall act things unwarrantable by the Ordinance, they are not to be protected, and the party injured is no leſſe a Son of the Common-wealth lineally deſcended from *Magna Charta* to all liberty and benefit of the Laws, and may moſt properly ſeek his remedy by appeale heretofore to the Committee of Lords and Commons, and now renewed by act to the Honorable Barons of the Exchequer, to receive and determine upon all appeales, where my appeale now depends under publication; and all perſons who ſhall be employed and do in purſuance of the Ordinance,

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the Acts, and Services warranted to be done by authority of that Ordinance to be indempnified, and therefore those Ordinances to the end the parties authorized that they may go safe on in the true intention of the Ordinance, and not to be injurious to men that are not comprehended in the intention and marks plainly set down in the Ordinance, it is twice set down in the third and thirteenth Instruction, intituled, *Instructions for the Committees for sequestration of Delinquents estates, that wherein they conceive any doubt to be guided by the directions of the Committee of Lords and Commons for that service:* but for Committees to act without the rule and guide of that Ordinance, do disservice and dishonour to the Parliament, and presume upon the power of Committee-men, to act their own wills and malice, presuming to be born out. And if actions are brought against Committee-men, it is *tanta mount* to an Appeale, and those Committee-men have the advantage, and may complain to the proper Authority to hear and determine, and send for parties to attend and make their defence, which is the stile of that one-eared Committee of Indempnity, who are to indempnifie because complained to, and have not another eare to judge upon reason, and indeed not power by their Ordinance to do otherwise, and though the Ordinance in its plain *English* intend not causes originall to this Committee, but to tryalls at Law, and upon pleading the generall issue, and the Ordinance for evidence upon a just and legall triall by 12. of the neighbourhood trials, will have a fair and right understanding, and at second hand be better fitted for Indempnitie if there be cause, (and the Ordinance cannot intend but as is set down in cause of being poore) But that upon all Complaints, Orders to flie out into all Countreys, and in all Causes to fetch up men to a slavish attendance, and meerly to bring grists to the Clerks mill, who to all mens deserning has too sawsie an influence on his Masters of that Committee, even to a busie forwardnesse, as taking himself the wisest man in the company, I mentioned two causes before as they were not proper for that Judicature for the reasons aforesaid; and the parties were not poore, but better able to defend the Suits then my self. And I see a Warrant to take away the Hay of my ground, and *Ireland* to reserve a third part of the moneys to bear the charges of these very Suits; and they have carried off my grounds 100 loads of Hay; And whiles I have been here to attend this businesse (so inraged they are in villanies) that they have carried a great quantitie of Timber off my grounds, prepared for repairs, and all presuming on the countenance of

of that Committee, who by their Orders in the two Suits have awarded them 55 li. Costs; And one *Allen* a Goldsmith, a Member of that Committee, a fierce stickler, to incline the moderate of that Committee to retain the Causes, and make such unjust Orders.

The reasons in chief for giving those Cost and superceding proceedings at Law, upon both severall Suits at Law thus expresst by the Committee man *Allen*, we must indempnifie our servants. There is likewise one Mr. *Lemman* a Member, I know not whether a Committee-man of this Committee, but the promoter of these mens complaints to the Committee, who in some degree knows (if they be not birds of a feather) that it is a doubtfull measure, or a measuring cast, whether *King* his ignorance or insolence lyes neerest the Jack; But no question, if weigh'd in *Allens* Scales, his malice would hold weight to both. And I wonder what is *Lemmons* reason, being grown a man of fortune and estate, and might consider the best preservative to give it continuance to his posteritie, is the protection of the Laws, that in this case against my no other but lawfull Application to be judged by the Laws, he should thus farre countenance such sheep-biters, for men in the trust of such actings, and so well able to justifie themselves against Suits at Law, and upon so great advantage as they presume the Ordinance is to them, to seek superfuge, at the best provided for a remedie for the poore, renders them no better then in the nature of sheep biters, that hang tails between their legs upon fear of a discovery; such servants best become *Allens* skill in his reason and honestie, to be a Judge in their causes. But these two put me in minde of an observation, that wise man Lord *Egerton*, Lord Chancellor of *England* had upon the Laws, and tryals by Juries, that the Laws were the just ballast of doing every man right, that tryals by Juries when and where mens consciences were bounded with fear to offend God, and not to be opened so large as for friendship, or any other ends to be exercised as a serveturn.

But as tryals were mostlie in his time carried, was, that two knaves pack in to ten fools was sufficient to destroy any man that unhappily might meet with such a Jury either of life, Free-hold, or whatsoever came under such tryall, and in some cases in all, I do verily beleeve, that both *Allen* and *Lemmon*, in their times and callings, have been Jury men, and have experienced something towards truth in this matter: I cannot yet so easily go off of this Committee of Indempnitie, where I have in obedience to their Orders so slavishly waited, and been bitten in my self

ſelf, and in my concern now foure ſeverall times by Orders; and it ſhall be of the manner of proceeding to hear Cauſes, for the matter as *Allen* ſaies, they muſt indempnifie their ſervants who complain, and prove the matter complained on, and *de facto* prove it, for it is chiefly for being ſued at Law, this is record; and that it is ſo, is cauſe that muſt be indempnified, by the Ordinance, as they themſelves are Judges of it: ſo here is ſhort and ſure work for *Allens* skill in Laws, and rules in honeſty.

The Committee ſit at a Table, five is a ſufficient number: the Complaint and proofs are firſt read by *Kirk* the Clerk, ſay what can be ſaid in right or reaſon, but to give a ſeeming of a full hearing you muſt withdraw: A word never heard of in Courts intruſted with the Judicature of Cauſes, till this Committee; The Committee are then turned into a Jury to conſider coſts, and it may be you called in to hear your doom; but howſoever you ſhall hear of it in their Order: this is all is to be expected. Whereas in Courts of upright judgement, the face of the Judge is alwayes open (without any withdraw) if in Arbitrary Courts the Judgement given in open Court, in hearing of both the parties on both ſides, and Counſell and Teſtimony of all hearers of the whole proceedings. In tryals by Juries ſometimes as there is cauſe, ſome light to Juries in point of Law is openly given by the Judge or Judges; the Verdict received and entred to be a Record [illegible]e them in open Court ſitting. Now Mr. *Allen*, it would better becom[illegible]u to refine gold, the precious jewell of your profeſſion, then to m[illegible]ſe with precious jewels ſo far above your underſtanding (and more precious than gold) for you to be a Judge of the deſeiſing men of their properties, the Inheritance deſcended to me from my great Grandfather, and to him by his Mother the Heir [illegible] Anceſtors for 400 yeers. But this is gold in a Swines ſnout, and ſo I leave ye.

*Thomas Conningsby.*

FINIS.